

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CRIMINAL ACTION NO. 3:03-CR-00200-GCM-CH**

**UNITED STATES,**

**Plaintiff,**

**v.**

**JOLLIETT KELLY JR.,**

**Defendant.**

**ORDER**

**THIS MATTER** comes before the Court upon Defendant Jolliett Kelly Jr.'s Unopposed Motion for Expedited Reduction of Sentence Under the First Step Act (ECF Doc. 142). In December 2020, this Court previously denied Defendant Kelly's motion for a reduced sentence under the First Step Act upon consideration of the then-applicable law, as well as the facts and circumstances of his motion. In making this decision, the Court did not consider whether it should recalculate Defendant Kelly's guidelines range without the career offender enhancement, in light of *United States v. Norman*, because the Court concluded that the Section 3553(a) factors still weighed against a sentence reduction. Defendant Kelly appealed this decision. Upon consideration of an unopposed motion for remand following the decision in *United States v. Lancaster*, the Fourth Circuit vacated this Court's decision and remanded for further proceedings consistent with the Fourth Circuit's decision.

In light of the Fourth Circuit's recent decision in *United States v. Lancaster*, in consideration of all other applicable law, and in consideration of the balance of Section 3553(a) factors, the Court now concludes that Defendant Kelly's Unopposed Motion for Expedited

Reduction of Sentence Under the First Step Act (ECF Doc. 142) should be **GRANTED** with modification.

**IT IS THEREFORE ORDERED** that

1. Defendant's term of imprisonment is reduced to a sentence of **TIME SERVED PLUS FOURTEEN DAYS**;
2. Upon release from imprisonment, Defendant shall be placed on a supervised release term of **FIVE YEARS**.

**SO ORDERED.**

Signed: June 7, 2021

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

